

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DOMINIC ANTHONY MARROCCO,
Plaintiff,
v.
MARK A. HILL, et al.,
Defendants.

2:12-CV-28 JCM (NJK)

ORDER

Presently before the court is defendants' motion to continue trial. (Doc. # 95).

16 Defendants seek to continue the trial date, currently set for October 21, 2013, until after
17 November 10, 2013. Defendants argue that such a continuance is necessary because of a conflict
18 with their counsel's preparation for an oral argument in the United States Supreme Court that is set
19 to take place on November 4, 2013. While defendants' counsel is not arguing before the Supreme
20 Court himself, he plans to significantly aid in the preparation during the week preceding the oral
21 argument.

22 Plaintiff Dominic Marrocco filed an opposition, requesting that the motion be denied. (Doc.
23 # 96). Plaintiff indicates that the amount of preparation time defendants' counsel claims he needs
24 is excessive, and that defendants' counsel would have plenty of time following this trial to prepare
25 for the oral argument in the Supreme Court. Plaintiff also suggests that the request for a continuance
26 is not made in good faith, and is merely an attempt to delay this matter until a conclusion is reached
27 in a related case that is currently scheduled for October 21, 2013, in the District Court of Harris

1 County, Texas.

2 Pursuant to local rules 6-1 and 26-4, a trial court may grant a motion to continue a trial date
3 if good cause exists. "Good cause is a non-rigorous standard that has been construed broadly across
4 procedural and statutory contexts." *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir.
5 2010) (internal quotation marks omitted).

6 This court is well aware of the intensive preparation process that goes into preparing for an
7 oral argument before the United States Supreme Court. This process often consumes attorneys'
8 calendars for weeks on end with countless meetings and moot court arguments. Granting a
9 continuance in this case would allow defendants' counsel to best serve both his client in the case
10 before the Supreme Court as well as the defendants in the present action. Therefore the court finds
11 that the motion was made in good faith, and that there is good cause to continue the trial.

12 Accordingly,

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that defendants' motion to
14 continue trial (doc. # 95) be, and the same hereby is, GRANTED.

15 The trial of this case presently scheduled for Monday, October 21, 2013, and calendar call
16 presently scheduled for Wednesday, October 16, 2013, are hereby VACATED and trial is
17 rescheduled for **Monday, November 18, 2013, at the hour of 9:00 a.m.** Calendar call is scheduled
18 for **Wednesday, November 13, 2013, at the hour of 1:30 p.m.**

19 DATED October 16, 2013.

20 
21

UNITED STATES DISTRICT JUDGE
22

23

24

25

26

27

28